

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

VIRTAMOVE CORP.

v.

INTERNATIONAL BUSINESS MACHINES
CORP.

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Case No. 2:25-cv-00619-JRG

ORDER

This case is set for a scheduling conference in Marshall, Texas on **September 30, 2025, at 9:30 a.m.** before the Honorable Rodney Gilstrap. The purpose of the scheduling conference will be to assign a claim construction hearing date and a trial setting. The parties shall be prepared to inform the Court whether they will consent to trial before the Magistrate Judge.

The parties shall thereafter prepare and submit a proposed discovery order and a proposed protective order, within the time periods contained in the schedule set forth hereinafter.¹ These orders shall be guided by the sample discovery and protective orders for Marshall patent cases, which can be found on the Court's website.² The sample orders include provisions that require input from the parties. If the parties are unable to reach agreement on these provisions, then the parties shall submit to the Court their competing proposals along with a summary of their disagreements in a single joint submission.

The sample orders include provisions that are mandatory and are not subject to change without showing good cause. Good cause shall not be considered to be met simply by an indication of the parties' agreement. Should either party believe good cause can be shown to alter an

¹ Timely submission of the parties' proposed discovery order and proposed protective order will be viewed by the Court as complying with the conference requirement of Rule 26(f).


² <http://www.txed.uscourts.gov> (under Judge Gilstrap's Patent Documents).

otherwise mandatory provision, then such party shall file a separate motion to alter the provision after the parties have filed the proposed discovery order with the mandatory provisions intact as previously required above.

Furthermore, it is hereby ORDERED that the following schedule of deadlines is in effect until further order of this Court:

6 Weeks After Scheduling Conference	Comply with Standing Order Regarding Subject-Matter Eligibility Contentions
6 Weeks After Scheduling Conference	Comply with P.R. 3-3 & 3-4 (Invalidity Contentions)
3 Weeks After Scheduling Conference	*File proposed Protective Order and Comply with Paragraphs 1 & 3 of the Discovery Order (Initial and Additional Disclosures) The proposed Protective Order shall be filed as a separate motion with the caption indicating whether or not the proposed order is opposed in any part.
2 Weeks After Scheduling Conference	*File proposed Discovery Order The proposed Discovery Order shall be filed as a separate motion with the caption indicating whether or not the proposed order is opposed in any part.
1 Week After Scheduling Conference	Join Additional Parties
2 Weeks Before Scheduling Conference	Comply with P.R. 3-1 & 3-2 (Infringement Contentions)

So ORDERED and SIGNED this 15th day of August, 2025.


 RODNEY GILSTRAP
 UNITED STATES DISTRICT JUDGE